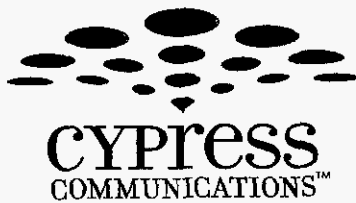


RECEIVED-FPSC
10 MAR 12 AM 10:27
COMMISSION
CLERK



DISTRIBUTION CENTER
10 MAR 12 AM 7:27

March 9, 2010

100000-0T

BY OVERNIGHT MAIL

Marlene Dortch, Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

Re: Section 63.71 Application of Cypress Communications Operating Company, LLC

Dear Ms. Dortch :

On behalf of Cypress Communications Operating Company, LLC, enclosed are an original and six (6) copies of the above-captioned application for authority to discontinue the provision of local telephone service, including voice and data services to a limited number of customers in California, Florida, Georgia, Illinois, Indiana, Massachusetts, Texas and Virginia. Applicant respectfully requests that the Commission issue a Public Notice regarding this application as soon as possible. Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please do not hesitate to contact the undersigned.

Respectfully submitted,

John A. Harwood
Vice President and General Counsel
Cypress Communications
4 Piedmont Center, Suite 600
3565 Piedmont Road
Atlanta, Georgia 30305
Tel: (404) 442-0169
jharwood@cypresscom.net

Enclosures
cc: Service List

DOCUMENT NUMBER-LATE

U1693 MAR 12 09

FPSC-COMMISSION CLERK

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Section 63.71 Application of)
Cypress Communications Operating Company, LLC)

SECTION 63.71 APPLICATION

Cypress Communications Operating Company LLC (“Cypress” or “Applicant”) hereby seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.71 of the Commission’s Rules, 47 C.F.R. § 63.71, to discontinue its provision of domestic telecommunications services – namely, voice and data services – to sixty-one (61) total customers, distributed as follows: twenty-three (23) customers in Los Angeles, California, one (1) customer in Miami, Florida, four (4) customers in Duluth, Georgia, twelve (12) customers in Chicago, Illinois, six (6) customers in Indianapolis, Indiana, four (4) customers in Boston, Massachusetts, four (4) customers in Houston, Texas, three (3) customers in Dallas, Texas and four (4) customers in Arlington, Virginia.

Cypress is a leading provider of bundled telecommunications services to small and medium-sized businesses located in multi-tenant commercial office buildings in major metropolitan markets in the U.S. Specifically, Cypress offers its customers integrated service bundles that include local, long distance, and international telecommunications services; high-speed Internet connectivity; e-mail services; fully-managed firewall services; web hosting; virtual private networks; feature-rich digital desktop stations; calling cards; audio and web conferencing; and digital business television. Cypress is authorized to provide regulated

DOCUMENT NUMBER-DATE

01693 MAR 12 20

FPSC-COMMUNICATIONS CLIENT

telecommunications services in 29 states and the District of Columbia. Cypress is also authorized by the Federal Communications Commission to provide both interstate and international telecommunications services.

In an effort to maintain its operating network in the most efficient manner possible, Cypress has identified thirty-four (34) customer sites at which its services will be discontinued. Revenue has been declining at these service locations for some time. The proposed discontinuance will not result in harm to the affected customers because these customers will have the opportunity to select another telecommunications provider for their telecommunications needs. Moreover, numerous CLECs and ILEC(s) in their area will continue to offer them some or all of the services which they have been receiving from Cypress.

The Applicant provides the following information pursuant to Section 63.71 of the Commission's Rules:

1. Name and Address of the Carrier: Cypress Communications Operating Company, LLC is located at 4 Piedmont Center, Suite 600, 3565 Piedmont Road, Atlanta, GA 30305.
2. Date of Planned Service Discontinuance, Reduction or Impairment: The Applicant plans to discontinue local telephone service, including voice and data services, to the affected customers in the states listed above on April 27, 2010, or as soon thereafter as any necessary regulatory approvals are obtained. Applicant understands that this application will be automatically granted on the 31st day after public notice of filing unless the Commission notifies the Applicant to the contrary.

3. Points of Geographic Areas of Service Affected: Applicant proposes to discontinue the provision of local telephone service, including voice and data services, to the affected customers in the state of Pennsylvania.

4. Brief Description of Type of Service Affected: The telecommunications services received by the affected customers include the provision of local telephone service, including voice and data services.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers: On February 23, 2010, Cypress provided written customer notice by first-class mail in accordance with the requirements of Section 63.71(a) of the Commission's Rules, informing its customers of the projected April 27, 2010 disconnect date. A sample copy of this notice to customers is appended hereto as *Exhibit A*.

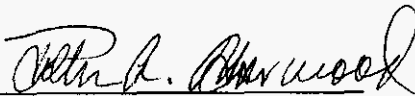
6. Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued, Reduced or Impaired: Applicant is considered non-dominant with respect to the affected services.

In accordance with Section 63.71 of the Commission's Rules, a copy of this Application is being mailed to the Governor and public services commission of the states of California, Florida, Georgia, Illinois, Indiana, Massachusetts, Texas and Virginia and to the Special Assistant for Telecommunications for the Secretary of Defense, concurrent with the filing of this application.

Additional questions regarding this application may be addressed to the undersigned.

Respectfully submitted,

CYPRESS COMMUNICATIONS OPERATING COMPANY, LLC

By: 
John A. Harwood
Vice President and General Counsel
Cypress Communications
4 Piedmont Center, Suite 600
3565 Piedmont Road
Atlanta, Georgia 30305
Tel: (404) 442-0169
jharwood@cypresscom.net

Dated: March 9, 2010

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 9th day of March, 2010, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

Secretary of Defense ATTN: Special Assistant for Telecommunications Pentagon Washington, DC 20301	
Hon. Arnold Schwarzenegger, Governor State Capitol Building Sacramento, CA 95814	Public Utilities Commission Office of the Secretary 505 Van Ness Avenue San Francisco, CA 94102
Hon. Charlie Crist, Governor The Capitol 400 S. Monroe St. Tallahassee, FL 32399-0001	Florida Public Service Commission Office of the Secretary 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850
Hon. Sonny Purdue, Governor Georgia State Capitol Atlanta, GA 30334	Georgia Public Service Commission Office of the Secretary 244 Washington Street, SW Atlanta, GA 30334-9052
Hon. Pat Quinn, Governor 207 State House Springfield, IL 62706	Illinois Commerce Commission Office of the Secretary 527 East Capitol Avenue Springfield, IL 62701
Hon. Mitch Daniels, Governor Statehouse Indianapolis, Indiana 46204-2797	Indiana Utility Regulatory Commission Office of the Secretary National City Center 101 West Washington Street, Suite 1500 E Indianapolis, Indiana 46204
Hon. Deval Patrick, Governor Massachusetts State House Room 280 Boston, MA 02133	Massachusetts Department of Telecommunications and Cable Office of the Secretary Two South Station, 4th Floor Boston, MA 02110

Hon. Rick Perry, Governor P.O. Box 12428 Austin, Texas 78711-2428	Public Utility Commission of Texas Office of the Secretary 1701 N. Congress Avenue PO Box 13326 Austin, TX 78711-3326
Hon. Bob McDonald, Governor P.O. Box 1475 Richmond, Virginia 23218	Virginia State Corporation Commission Division of Communications P.O. Box 1197 Richmond, Virginia 23218



Ann J. Jackson
Regulatory Paralegal

Exhibit A

Cypress Communications Operating Company, LLC

Section 63.71 Application

Via Certified Mail, Return Receipt Requested

2/23/2010

Kabel-X USA, LLC
Attn: Phil Greenbaum
Account # 334000088
4380 Oakes Rd., BAY 805
Davie, FL 33314

Dear Mr./Ms. Greenbaum:

This will serve as formal notification that Cypress Communications, Inc. will discontinue all services at 4380 Oakes Rd., BAY 805, Bay 805, Davie, FL 33314, as of 4/27/2010. We fully understand the inconvenience this may cause you: Please know that we did not make this decision lightly; however, Cypress is compelled to factor economic feasibilities into its strategic planning.

It has been our experience that a complete transition to new service provider(s) including ordering local telephone lines, the purchase or lease of telephone equipment, or the ordering of Internet access services, may take 30 days. Therefore, we encourage you to immediately begin your transition plans at this time. In order to find the best alternative service for your company, we recommend reviewing the service offerings and price plans of several providers to see which best "fits" your business communication needs. **All services must be transitioned by 4/27/2010.** As a valued customer, we want to do everything within reason to help you accomplish a smooth transition to alternative service providers of your choice. If you have made a deposit with Cypress, it will be applied against your outstanding balance on your account as of your termination date, or, if there is no outstanding balance on your account as of such date, you will receive a refund check for your deposit.

Please take a moment to review and sign the attached form and return via fax to (404) 812-7882 by 4/27/2010.

Pursuant to FCC regulations, we are required to include the following statement:

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the Sec. 63.71 Application of Cypress Communications Operating Company, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We regret any inconvenience this may cause you. If you have any questions, please contact me at (404)

442-0749 or toll-free (888) 528-1788. Thank you for your prompt attention to this matter.

Regards,

Hunter Axelrod
Network Planning

CC: Amy Nawrocki
Dale Bennett

PLEASE REpond BY 4/27/2010.

TO: Cypress Terminations
FAX: (404) 812-7837
FROM: Kabel-X USA, LLC Attn: Phil Greenbaum Account # 334000088 4380 Oakes Rd., BAY 805, Bay 805 Davie, FL 33314
DATE:

I understand that effective 4/27/2010, Cypress Communications, Inc. will no longer provide services to Kabel-X USA, LLC, Account # 334000088, 4380 Oakes Rd., BAY 805, Bay 805, Davie, FL 33314, and that it is my responsibility to ensure that my company's services are transferred to an alternate service provider in order to avoid a service interruption.

If I move my services prior to the termination date, I understand that it is my responsibility to notify terminations@cypresscom.net to ensure that my account is closed properly. Failure to do so could result in my being billed through 4/27/2010.

Name (Please Print)

Phone/ email

Signature

Date